

PHILLIP A. TALBERT
United States Attorney
JAMES R. CONOLLY
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

AUSTREBERTO SANTAMARIA-VALENCIA,

Defendant.

CASE NO. 2:21-CR-0079-TLN

STIPULATION AND ORDER TO CONTINUE
JUDGMENT AND SENTENCING HEARING
AND MODIFY PRESENTENCE SCHEDULE OF
DISCLOSURES; ORDER

DATE: October 3, 2024

TIME: 9:30 a.m.

COURT: Hon. Troy L. Nunley

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through his counsel of record, hereby stipulate as follows:

1. By previous order, Court set this matter for judgment and sentencing on October 3, 2024.
2. By this stipulation, the parties now move to continue the judgment and sentencing hearing until January 16, 2025. The parties understand that this date is available to the Court for a continued judgment and sentencing.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The Probation Office is working to complete the presentencing investigation and further time is needed to complete that process.
 - b) Defense counsel requires additional time to investigate matters relevant to sentencing and to advise his client regarding the presentence investigation process.
4. The parties have consulted the Probation Office, which has indicated that it is amenable

to a new sentencing date of January 16, 2025, which should give the Probation Office sufficient time to finish its presentence investigation and draft the Presentence Investigation Report.

5. The parties therefore request the disclosure schedule for the PSR and briefs related to sentencing be modified to the following timeline:

Judgment and Sentencing Date:

January 16, 2025

Reply or Statement of Non-Opposition to Formal Objections / Parties' Sentencing Memoranda:

January 9, 2025

Formal Written Objections/Motions for Correction to Presentence Investigation Report:

January 2, 2025

Final Presentence Report to be filed with the Court and disclosed to counsel no later than:

December 26, 2024

Informal Objections to the Presentence Investigation Report

December 19, 2024

Draft Presentence Report to be disclosed to counsel no later than:

December 5, 2024

IT IS SO STIPULATED.

Dated: September 30, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ JAMES R. CONOLLY

JAMES R. CONOLLY
Assistant United States Attorney

Dated: September 30, 2024

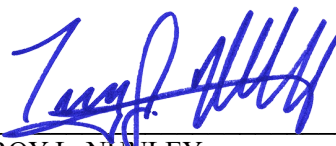
/s/ MATTHEW C. SMITH

MATTHEW C. SMITH
Counsel for Defendant
AUSTREBERTO SANTAMARIA-VALENCIA

ORDER

The Court, having read the stipulation of the parties, adopts its factual findings. Finding good cause, the Court hereby orders that the current judgement and sentencing hearing be vacated and reset for **January 16, 2025, at 9:30 a.m.**, with the schedule of disclosures adopted as modified in the parties' stipulation.

IT IS SO FOUND AND ORDERED this 2nd day of October 2024.


TROY L. NUNLEY
CHIEF UNITED STATES DISTRICT JUDGE